

NOTICE OF VIOLATION

California Safe Drinking Water and Toxic Enforcement Act

Re: Lead in Jewelry

February 12, 2007

This Notice of Violation is provided to you pursuant to and in compliance with California Health and Safety Code Section 25249.7(d).

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, see the attached summary provided by the California EPA (copies not provided to public enforcement agencies).
- This Notice of Violation is provided by the Center for Environmental Health ("CEH"), 528 61st Street, Suite A, Oakland, CA 94609, (510) 594-9864. CEH is a nonprofit corporation dedicated to protecting the environment, improving human health and supporting environmentally sound practices. Michael Green is the Executive Director of and a responsible individual within CEH.

Description of Violation:

- The names and addresses of the violators are attached hereto as Exhibit 1.
- The violations have been occurring since at least February 12, 2004 and are continuing to this day.
- This Notice of Violation covers the "warning provision" of Proposition 65, which is found at California Health and Safety Code Section 25249.6.
- The names of the listed chemicals involved in these violations are lead and lead compounds ("Lead"). Exposures to Lead occur from use of the products identified in this notice.
- The specific type of products causing these violations is jewelry. This jewelry is made of and contains Lead. A list of non-exclusive examples of this specific type of products is attached hereto as Exhibit 2.
- Description of Exposure: Use of the products identified in this notice results in human exposures to Lead. Lead is contained in both the metallic and non-metallic parts of the jewelry. For example, the non-metallic cords of bracelets and necklaces contain Lead, as does the pearl coating on imitation pearls and the metallic components such as beads, pendants, clasps, posts and other parts of the jewelry. The route of exposure for the violations is direct ingestion when consumers place the products in their mouths, ingestion via hand to mouth contact after consumers touch or handle the products, and dermal absorption directly through the skin when consumers touch, handle, or wear the products. These exposures occur in homes, workplaces and everywhere else throughout California where these products are worn, handled or used. No clear and reasonable warning is provided with these products regarding the carcinogenic or reproductive hazards of Lead.

Resolution of Noticed Claims:

- Based on the allegations set forth in this Notice, CEH intends to file a citizen enforcement lawsuit against each violator named herein unless the alleged

violator enters into a binding written agreement to remedy the violations alleged herein by: (1) recalling products already sold; (2) providing a clear and reasonable warning for products sold in the future or reformulating such products to eliminate the Lead exposure; and (3) paying an appropriate civil penalty based on the factors enumerated in California Health and Safety Code Section 25249.7(b). If any of the alleged violators is interested in resolving this dispute without resort to expensive and time-consuming litigation, please feel free to contact CEH through its counsel identified below. It should be noted that CEH cannot: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any District or City Attorney who received CEH's 60-day Notice. Therefore, while reaching an agreement with CEH will resolve its claims, such agreement may not satisfy the public prosecutors.

Please direct any inquiries regarding this notice to CEH and its counsel Eric S. Somers at Lexington Law Group, LLP, 1627 Irving Street, San Francisco, CA 94122, (415) 759-4111.

Exhibit 1: List of Violators
February 12, 2007 Notice of Violation
Re: Lead in Jewelry

21st Century Girl, Inc.
1437 W. 11th St.
Port Angeles, WA 98362

Coldwater Creek, Inc.
1 Coldwater Creek Dr.
Sandpoint, ID 83864

Bakers Footwear Group, Inc.
2815 Scott Ave.
St. Louis, MO 63103

Coyne's & Company, Inc.
7400 Boone Ave. N.
Brooklyn Park, MN 55428

Barcelino Continental Corp.
111 Lucky Dr.
Corte Madera, CA 94925

Daiso California LLC
1 Embarcadero Center, Suite 1020
San Francisco, CA 94111

Bebe Stores, Inc.
400 Valley Drive
Brisbane, CA 94005

Furla (U.S.A.) Incorporated
389 Fifth Ave., Room 700
New York, NY 10016

BJB, Inc.
136 Vintage Way
Novato, CA 94945

Ganz, Inc.
#043
60 Industrial Parkway
Cheektowaga, NY 14227-9903

Bliss
Store 177
294 Fox Hills Mall
Culver City, CA 90230-6482

Hard Rock Cafe International (USA), Inc.
6100 Old Park Lane
Orlando, FL 32825

Brandon Femme, Inc.
9745 Independence Ave.
Chatsworth, CA 91311

Helen of Troy Ltd.
1 Helen of Troy Plaza
El Paso, TX 79912

Brooks Brothers, Incorporated
346 Madison Ave.
New York, NY 10017

I & J.C. Corp.
1982 N.W. 82nd Ave.
Miami, FL 33126

R. Bruce Bishop, Inc.
1191 Chess Dr., Suite A
Foster City, CA 94404

Impex International, LLC
222 Elm Street, Unit 4
North Haven, CT 06473

Charms By the Bay
Pier 39, O-5
San Francisco, CA 94133

Import Designs, Inc.
920 Melbourne Rd.
Hurst, TX 76053

Innisbrook Wraps, Inc.
728 S. Elm St.
Greensboro, NC 27406

Jest Jewels, Inc.
1869 Union St.
San Francisco, CA 94123

Jigsaw USA Inc.
2141 Stanley Hills Dr.
Los Angeles, CA 90046

JJI International, Inc.
20 Altieri Way
Warwick, RI 02886

kate spade LLC
48 W. 25th St.
New York, NY 10010-2708

Learning Express, Inc.
Devens Business Community
29 Buena Vista Street
Devens, MA 01434

Maloof Sports & Entertainment, LLC
4321 W. Flamingo Road
Las Vegas, NV 89130

Marin Beauty Company
417 3rd St.
San Rafael, CA 94901

Only In San Francisco, LLC
Pier 39 #213
San Francisco, CA 94133

PA Acquisition Corp.
980 Atlantic Ave., Suite 103
Alameda, CA 94501

Paper Source, Inc.
328 S. Jefferson St., #310
Chicago, IL 60661

Party City Corporation
25 Green Pond Road, Suite 1
Rockaway, NJ 07866

Peninsula Beauty Supply Inc.
1362 N. Carolan Ave.
Burlingame, CA 94010

Phillips-Van Heusen Corporation
200 Madison Ave.
New York, NY 10016

Pumpkin Patch LLC
439 East Tamaki Rd., East Tamaki
Auckland, New Zealand, YY

PureBeauty, Inc.
555 W. 5th Street, 40th Floor
Los Angeles, CA 90013

Roc Apparel Group, LLC
1411 Broadway, 38th Floor
New York, NY 10018

Sausalito Accessories, Inc.
Pier 39, P-5
San Francisco, CA 94133

So Good Jewelry, Inc.
333 Jefferson St., Suite 103
San Francisco, CA 94133

The Raider Image, LLC
1220 Harbor Bay Parkway, Suite 201
Alameda, CA 94502

The SFO Forecast, Inc.
496 Jefferson Street
San Francisco, CA 94109

Unique Industries, Inc.
4750 League Island Blvd.
Philadelphia, PA 19112

White House Black Market, Inc.
11215 Metro Parkway
Ft. Myers, FL 33912

EXHIBIT 2: Non-Exclusive Examples of the Products

Responsible Parties	Non-Exclusive Examples of the Products	Item or SKU # or Further Description
21 st Century Girl, Inc.	Metal and CZ Hair Clip	TW916; Retail ID #0-15540-00916-1; Manuf. ID #HAC001624
Bakers Footwear Group, Inc.	Blue Metal Earrings	ELOOPEDTEA/BLUE/N9Z/N ODIM; Retail ID #702706; Manuf. ID #4-11756-26888-8
Barcelino Continental Corp.	Jewelry Pendant Circle Sparkle	Retail ID #LI2/0023/U 0395; Manuf. ID #4-0001-56071-6
Bebe Stores, Inc.	Linear Pearl Earrings	Retail ID #10614303050001
BJB, Inc.	Shoe - Heart Car Charm	Retail ID #498747; Manuf. ID #0-65810-25557-6
Bliss	Pearl & Flower Bracelet	None
Brandon Femme, Inc.	Metal and CZ Hair Clip	Retail ID #0016 asstd; Manuf. ID #7-37322-01600-2
Brooks Brothers, Incorporated	Pearl Crystal Earrings	Jewelry WMS; Retail ID# 305656027
R. Bruce Bishop, Inc.	Bling Ring! Glasses and ID Holder Necklace	None
Charms By the Bay	Charm Necklace	Manuf ID #0-65810-86317-7
Coldwater Creek, Inc.	Pave Burst NL Slv 28IN Necklace	Retail ID #018085149-310-346; Manuf. ID #48429
Coyne's & Company, Inc.	Purse Necklace	Manuf. ID #7-63038-35804-7
Daiso California LLC	Pearl Hair Pins	Retail ID #490066262583
Furla (U.S.A.) Incorporated	Brooch Pin Pommegranite	Retail ID #8-023576-824520; Manuf. ID #106340-J4-S068Z AH Brooch
Ganz, Inc.	Lucky Shamrock Prayer Box Charm	Retail ID #0-65810-07750-5
Hard Rock Café International (USA), Inc.	Ornate Cross Necklace	Retail ID #8-89382-48525-0; Manuf. ID #W2-0042

Responsible Parties	Non-Exclusive Examples of the Products	Item or SKU # or Further Description
Helen of Troy Ltd.	Karina Hair Clip	Retail ID #0-75188-01199-5; Manuf. ID #K9819X2
I & J.C. Corp.	Crystal Hair Clip	Retail ID #K028; Manuf. ID # 8-00543-04472-7
Impex International, LLC	WAH Magnetic Therapy Bracelet	Retail ID #19436
Import Designs, Inc.; Innisbrook Wraps, Inc.	Metal Heart Bracelet	Retail ID #0-35100-10893-6
Jest Jewels, Inc.	Butterfly Necklace	INC1022 ButflyC; Retail ID #01-003534-IVY
Jigsaw USA Inc.	Leafy Necklace	Retail ID #5-036734-62865-4; Manuf. ID #062-7300-075-71- STD
JJI International, Inc.	Bling Ring! Glasses and ID Holder Necklace	None
kate spade LLC	Rhinestone Bobby Pin	Retail ID #6-61550-34130-4; Manuf. ID #BZ0617026D
Learning Express, Inc.	Mood Ring for Kids (Flower)	Retail ID #GECJRMOK
Maloof Sports & Entertainment, LLC	I Heart Monarchs Pin	SM I love Dangler Misc; Retail ID #2349
Marin Beauty Company	Metal and CZ Dice Hair Accessory	Retail ID #00230 asstd; Manuf. ID #7-37325-01300-1
Only In San Francisco, LLC	Magnetic Hematite Bracelet	Retail ID #19-754; Manuf. ID #197540101
PA Acquisition Corp.	Breast Cancer Awareness Pin	Retail ID #722950118412
Paper Source, Inc.	Diamond Ring Assort	Retail ID #466300
Party City Corporation	Nature's Garden Charm Bracelet	Retail ID #722950106488; Manuf. ID #7-22950-10648-8
Peninsula Beauty Supply Inc.	Metal and CZ Hairclip	Jodi Cosm Med; Retail ID #11077; Manuf. ID #HAC011077
Phillips-Van Heusen Corporation	Crystal & Metal Pin	Retail ID #450841400024

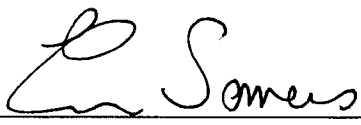
Responsible Parties	Non-Exclusive Examples of the Products	Item or SKU # or Further Description
Pumpkin Patch LLC	Glamour Party Bracelet	Retail ID #199018MUL; Manuf. ID #9-419817-939914
PureBeauty, Inc.	Metal and Crystal Hair Clip	Retail ID# 5009634; Manuf. ID #7-81580-00671-1
Roc Apparel Group, LLC	Metal and CZ RW Earrings	FLM DNGL; Retail ID #3187309; Manuf. ID #6672-19346-2270-075
Sausalito Accessories, Inc.	Metal and CZ Hair Accessory	Retail ID #Pin010021; Manuf. ID #ENC205,257,258
So Good Jewelry, Inc.	Metal Flower Bracelet	None
The Raider Image, LLC	Pirate Logo Necklace	Retail ID #603301120000
The SFO Forecast, Inc.	Prince Fashion Necklace	Retail ID #PN6121; Manuf. ID #4-10000-53622-3
Unique Industries, Inc.	Jeweled Tiara	Retail ID #11179039357; Manuf. ID # 0-11179-03935-7
White House Black Market, Inc.	Metal Ring	RN pave swirl 390 7; Retail ID# 403000304725; Manuf. ID #300106405

CERTIFICATE OF MERIT
Health & Safety Code §25249.7(d)

I, Eric S. Somers, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have violated Health & Safety Code §25249.6 by failing to provide clear and reasonable warnings.
2. I am an attorney with the Lexington Law Group, LLP, and I represent the noticing party, the Center for Environmental Health ("CEH").
3. Members of my firm and I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies or other data regarding the exposures to the listed chemical that is the subject of the action.
4. Based on the information obtained through those consultations, and on other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiff's case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.
5. The copy of the Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health & Safety Code §25249.7(h)(2), i.e. (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies or other data reviewed by those persons.

February 12, 2007



Eric S. Somers
Attorney for CENTER FOR
ENVIRONMENTAL HEALTH

PROOF OF SERVICE BY MAIL

I declare that:

I am employed in San Francisco County, California. I am over the age of 18 years and not a party to the within cause; my business address is 1627 Irving Street, San Francisco, California 94122.

On February 12, 2007, I served true copies of the following documents:

**NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER
AND TOXIC ENFORCEMENT ACT;**

CERTIFICATE OF MERIT; and

**THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF
1986 (PROPOSITION 65): A SUMMARY** (only sent to those on service list
marked with an asterisks).

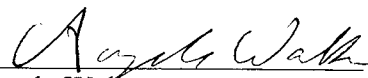
I placed a true copy of this paper in an envelope addressed to:

See Attached Service List.

I am readily familiar with my firm's practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit, that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I placed the envelope containing the above-mentioned documents for collection and mailing on February 12, 2007, following the ordinary business practice.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on February 12, 2007, at San Francisco, California.

Signed:


Angela Walker

SERVICE LIST

District Attorney of Alameda County
1225 Fallon Street, Room 900
Oakland, CA 94612

District Attorney of Colusa County
547 Market Street
Colusa, CA 95932

District Attorney of Contra Costa County
725 Court Street, Room 402
Martinez, CA 94553

District Attorney of Alpine County
P.O. Box 248
Markleeville, CA 96120

District Attorney of Del Norte County
450 H Street, Ste 171
Crescent City, CA 95531

District Attorney of Amador County
708 Court Street, #202
Jackson, CA 95642

District Attorney of Butte County
25 County Center Drive
Oroville, CA 95965

District Attorney of El Dorado County
515 Main Street
Placerville, CA 95667

District Attorney of Calaveras County
891 Mountain Ranch Road
San Andreas, CA 95249

District Attorney of Fresno County
2220 Tulare Street, #1000
Fresno, CA 93721

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Willows, CA 95988

District Attorney of Kings County
1400 West Lacey
Hanford, CA 93230

District Attorney of Lake County
255 N. Forbes Street
Lakeport, CA 95453

District Attorney of Humboldt County
825 5th Street
Eureka, CA 95501

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939 W. Main Street
El Centro, CA 92243

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220 S. Lassen St., Ste 8
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Los Angeles, CA 90012

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Madera, CA 93637

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District Attorney of Marin County
3501 Civic Center Dr., Room 130
San Rafael, CA 94903

District Attorney of Mono County
P.O. Box 617
Bridgeport, CA 93517

District Attorney of Mariposa County
P.O. Box 730
Mariposa, CA 95338

District Attorney of Monterey County
PO Box 1131
Salinas, CA 93902

District Attorney of Mendocino County
P.O. Box 1000
Ukiah, CA 95482

District Attorney of Napa County
931 Parkway Mall
Napa, CA 94559

District Attorney of Merced County
2222 "M" Street
Merced, CA 95340

District Attorney of Nevada County
201 Church St., Suite 8
Nevada City, CA 95959

District Attorney of Orange County
401 Civic Ctr Drive West
Santa Ana, CA 92702

District Attorney of Modoc County
PO Box 1171
Alturas, CA 96101-4020

District Attorney of Placer County
11562 "B" Avenue
Auburn, CA 95603

District Attorney of San Bernardino County
316 N. Mountain View Avenue
San Bernardino, CA 92415-0004

District Attorney of Plumas County
520 Main Street, Room 404
Quincy, CA 95971

District Attorney of San Diego County
330 West Broadway, Suite 1320
San Diego, CA 92101

District Attorney of Riverside County
4075 Main Street, 1st Floor
Riverside, CA 92501

District Attorney of San Francisco County
850 Bryant Street, Rm 325
San Francisco, CA 94103

District Attorney of Sacramento County
901 "G" Street
Sacramento, CA 95814

District Attorney of San Joaquin County
P.O. Box 990
Stockton, CA 95201

District Attorney of San Luis Obispo County
1050 Monterey St, Room 450
San Luis Obispo, CA 93408

District Attorney of San Benito County
419 Fourth Street, 2nd Floor
Hollister, CA 95023

District Attorney of San Mateo County
400 County Ctr, 3rd Fl
Redwood City, CA 94063

District Attorney of Sierra County
Courthouse, P.O. Box 457
Downieville, CA 95936

District Attorney of Santa Barbara County
1105 Santa Barbara Street
Santa Barbara, CA 93101

District Attorney of Siskiyou County
P.O. Box 986
Yreka, CA 96097

District Attorney of Solano County
600 Union Avenue
Fairfield, CA 94533

District Attorney of Santa Clara County
70 West Hedding Street
San Jose, CA 95110

District Attorney of Santa Cruz County
701 Ocean Street, Room 200
Santa Cruz, CA 95061

District Attorney of Sonoma County
600 Administration Drive, Room 212J
Santa Rosa, CA 95403

District Attorney of Shasta County
1525 Court Street, Third Floor
Redding, CA 96001-1632

District Attorney of Stanislaus County
800 11th Street, Room 200
Modesto, CA 95354

District Attorney of Sutter County
446 Second Street
Yuba City, CA 95991

District Attorney of Ventura County
800 South Victoria Ave
Ventura, CA 93009

District Attorney of Tehama County
P.O. Box 519
Red Bluff, CA 96080

District Attorney of Yolo County
301 Second Street
Woodland, CA 95695

District Attorney of Trinity County
P.O. Box 310
Weaverville, CA 96093

District Attorney of Yuba County
215 Fifth Street
Marysville, CA 95901

District Attorney of Tulare County
221 S. Mooney Ave, Room 224
Visalia, CA 93291

District Attorney of Tuolumne County
2 South Green
Sonora, CA 95370

San Jose City Attorney's Office
151 West Mission Street
San Jose, CA 95110

Los Angeles City Attorney's Office
Room 1800, City Hall East
200 N. Main Street
Los Angeles, CA 90012

San Diego City Attorney's Office
1200 3rd Avenue, Suite 1620
San Diego, CA 92101

San Francisco City Attorney's Office
City Hall, Room 234
San Francisco, CA 94102

California Attorney General's Office
Attention: Proposition 65 Coordinator
1515 Clay Street, Suite 2000
P.O. Box 7550
Oakland, CA 94612

John Mollinet*
Chief Executive Officer
21st Century Girl, Inc.
1437 W. 11th St.
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Philadelphia, PA 19112

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